



REC'D TN
REGULATORY AUTH.

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Guy M. Hicks
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March 10, 1999 3:39 PM 4 42

OFFICE OF THE
EXECUTIVE SECRETARY

VIA HAND DELIVERY

David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *BellSouth Telecommunications, Inc.'s Entry into Long Distance
(InterLATA) Service in Tennessee Pursuant to Section 271 of the
Telecommunications Act of 1996*
Docket No. 97-00309

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Motion to Remove Item No. 1 From March 16, 1999 Final Conference Agenda. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Guy M. Hicks

GMH:ch
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *BellSouth Telecommunications, Inc.'s Entry into Long Distance (InterLATA) Service in Tennessee Pursuant to Section 271 of the Telecommunications Act of 1996*

Docket No. 97-00309

**MOTION TO REMOVE ITEM NO. 1 FROM
MARCH 16, 1999 FINAL CONFERENCE AGENDA**

On March 10, 1999, BellSouth Telecommunications, Inc. ("BellSouth") received a copy of the Final Conference Agenda for the March 16, 1999 Director's Conference, which reflects that the Authority intends to consider "BellSouth's Entry into Long Distance (InterLATA) Service in Tennessee Pursuant to Section 271" in Docket No. 97-00309. Although it is not clear precisely what aspect of this docket the Authority intends to consider, BellSouth respectfully requests that the Authority defer any consideration on the merits for the following reasons:

1. The Authority has consistently taken the position that cost-based rates must be established in Docket No. 97-01262 before it can determine BellSouth's compliance with the requirements of Section 271 of the Telecommunications Act of 1996. Indeed, BellSouth extended the timeframe for a decision by the Authority on its Statement of Generally Available Terms and Conditions until after the establishment of such rates. The Authority has only recently issued an order in Phase I of Docket 97-01262, which is the subject of several requests of reconsideration and clarification, and cost-based rates will not be established until Phase II. Under the Authority's reasoning, therefore, consideration of BellSouth's entry into long distance now is premature.

2. AT&T and NEXTLINK have requested leave to supplement the record in this docket by filing responses to materials BellSouth filed with the Authority on July 22, 1998. BellSouth has not opposed this request, and the Authority has indicated its desire to allow the parties to file such materials. Although the parties have disagreed about the scope of any supplemental filing, AT&T, NEXTLINK and BellSouth have attempted to resolve this matter with the assistance of the Hearing Officer. Because of scheduling conflicts, this has not yet happened. However, the Authority should not decide BellSouth's request for interLATA relief until it considers whatever supplemental materials these parties may file as well as BellSouth's response.

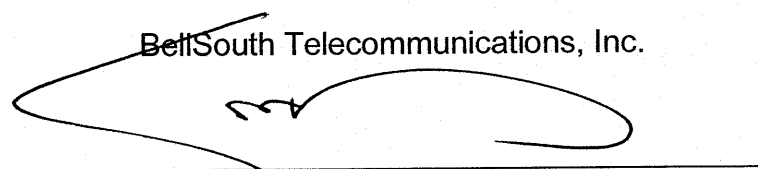
3. At the request of several of the Intervenors, BellSouth recently made William Denk available for a deposition regarding the Tennessee PCS study conducted for BellSouth. The transcript of this deposition was only recently completed and is currently being reviewed by Mr. Denk, after which the parties will have the opportunity to file the transcript for consideration by the Authority. The Authority should not issue a ruling before it has the opportunity to review this information.

4. At the request of the Authority, the parties have been negotiating the terms of a stipulation addressing the checklist items which the FCC determined BellSouth had satisfied in its second Louisiana proceedings. The only remaining issue in dispute concerns NEXTLINK's contention that BellSouth does not satisfy one of these checklist items. BellSouth has been working with NEXTLINK to resolve NEXTLINK's concerns. The Authority should allow that process to be completed before rendering a decision in this docket.

For the foregoing reasons, the Authority should defer consideration of BellSouth's entry into long distance in Tennessee and should remove this item from the March 16, 1999 Conference Agenda.

Respectfully submitted,

BellSouth Telecommunications, Inc.

A large, stylized handwritten signature in black ink, likely belonging to Guy M. Hicks, is written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 1999, a copy of the foregoing document was served on the parties of record, via hand delivery, facsimile, overnight or US Mail, addressed as follows:

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